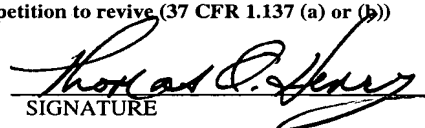


DT02 Rec'd PCT/PTO 20 JAN 2005

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|--|--|---|--|--|--|
| Form PTO-1390<br>(REV. 8-2004)   |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE |  | ATTORNEY'S DOCKET NUMBER<br><br>7519-2   |  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>  |  |   |  |  |  |
| INTERNATIONAL APPLICATION NO.<br>PCT/GB2003/003145   |  | INTERNATIONAL FILING DATE<br>July 21, 2003              |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><div style="font-size: 1.5em; font-weight: bold;">10/521484</div> |  |
| PRIORITY DATE CLAIMED<br>July 20, 2002   |  |   |  |  |  |
| TITLE OF INVENTION<br>OPTICAL APPARATUS FOR MEASURING ABSORPTION AND FLUORESCENCE OR SCATTERING PROPERTIES OF A SAMPLE   |  |   |  |  |  |
| APPLICANT(S) FOR DO/EO/US<br>Gareth JONES  |  |   |  |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |   |  |  |  |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau)</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3))</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unsigned)</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p style="margin-left: 20px;"><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Date Sheet Under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input checked="" type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rue 13ter.2 and 35 U.S.C. 1.821 – 1.825.</li> <li>18. <input checked="" type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input type="checkbox"/> Other items or information:           <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> a. PCT Request<br/> <input checked="" type="checkbox"/> b. International Publication<br/> <input type="checkbox"/> c. Notification of Receipt of Demand<br/> <input checked="" type="checkbox"/> d. Search Report      <input checked="" type="checkbox"/> e. Prel. Exam. Report<br/> <input checked="" type="checkbox"/> f. Written Opinion      And Response      <input type="checkbox"/> g. Response<br/> <input checked="" type="checkbox"/> h. Forms PCT/IB/308           </div> </li> </ol> |  |   |  |  |  |
| Express Mail label number: EV334087392US   |  | Date of Deposit: January 20, 2005                       |  |  |  |
| I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.   |  |   |  |  |  |
| Signature of person mailing paper or fee <u>Gail Mercer</u>  |  |   |  |  |  |

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|--|--------------|---|------------|--|-----------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>10/521 484</b>   |              | INTERNATIONAL APPLICATION NO.<br>PCT/GB2003/003145                            |            | ATTORNEY'S DOCKET NUMBER<br>7519-2   |                 |
| 21. <input checked="" type="checkbox"/> The following fees are submitted:  |              |   |            | Applicant Use  | Office Use Only |
| a) Basic National Fee.....   |              |   |            | \$ 300.00  |                 |
| b) Examination.....  |              |   |            | \$ 200.00  |                 |
| c) Search.....   |              |   |            | \$ 500.00  |                 |
| Total of the Above Calculations.....   |              |   |            | \$1,000.00   |                 |
| Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  |              |   |            |  |                 |
| Total Sheets   | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE       |  |                 |
| - 100 =  | /50 =        |   | X \$250.00 | \$   |                 |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 Months from the earliest claimed priority date (37 CFR 1.492(e)).   |              |   |            | \$   |                 |
| CLAIMS   | NUMBER FIELD | NUMBER EXTRA  | RATE       |  |                 |
| Total claims   | 19           | 0   | x \$18.00  | \$ .00   |                 |
| Independent claims   | 1            | 0   | x \$84.00  | \$ .00   |                 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |   | x \$280.00 | \$ .00   |                 |
| <b>TOTAL OF ABOVE CALCULATIONS</b>   |              |   |            | <b>= \$1,000.00</b>  |                 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |              |   |            | \$   |                 |
| <b>SUBTOTAL</b>  |              |   |            | <b>= \$ 1,000.00</b>   |                 |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).   |              |   |            | \$   |                 |
| <b>TOTAL NATIONAL FEE</b>  |              |   |            | <b>= \$ 1,000.00</b>   |                 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |              |   |            | \$   |                 |
| <b>TOTAL FEE ENCLOSED</b>  |              |   |            | <b>= \$ 1,000.00</b>   |                 |
|  |              |   |            | Amount to be refunded:   | \$              |
|  |              |   |            | charged:   | \$ 1,000.00     |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>23-3030</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-3030</u>. A duplicate of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> |              |   |            |  |                 |
| <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>WOODARD, EMHARDT, MORIARTY, MCNETT &amp; HENRY LLP<br/>Bank One Center/Tower, Suite 3700<br/>111 Monument Circle<br/>Indianapolis, Indiana 46204</p>  |              |   |            |  |                 |
|  |              |   |            | <br>SIGNATURE |                 |
|  |              |   |            | Thomas Q. Henry<br>NAME  |                 |
|  |              |   |            | 28,309<br>REGISTRATION NUMBER  |                 |